

ORDINANCE NO. 20090423-075

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 100 EAST NORTH LOOP BOULEVARD IN THE NORTH LOOP NEIGHBORHOOD PLAN AREA FROM COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (GR-CO-NP) COMBINING DISTRICT TO COMMERCIAL-LIQUOR SALES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (CS-1-CO-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district to commercial-liquor sales-conditional overlay-neighborhood plan (CS-1-CO-NP) combining district on the property described in Zoning Case No. C14-2008-0248, on file at the Neighborhood Planning and Zoning Department, as follows:

A 770 square foot tract of land, more or less, out of Lot B, Timmerman Addition, in the City of Austin, Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 100 East North Loop Boulevard, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. Except as specifically provided in Part 3 and Part 4 of this ordinance, the Property may be developed and used in accordance with the regulations established for the commercial-liquor sales (CS-1) base district, and other applicable requirements of the City Code.

PART 3. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

B. The following uses are prohibited uses of the Property:

Liquor sales

Adult oriented businesses

PART 4. The Property is subject to Ordinance No. 020523-31 that established the North Loop neighborhood plan combining district.

PART 5. This ordinance takes effect on May 4, 2009.

PASSED AND APPROVED

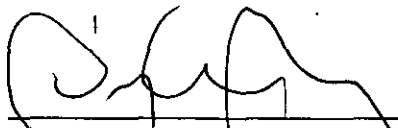
_____, April 23, 2009

§
§
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Will Wynn
Mayor

APPROVED:


David Allan Smith
City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

EXHIBIT A
HOLT CARSON, INC.

1904 FORTVIEW ROAD
AUSTIN, TX 78704
TELEPHONE: (512) 442-0990
FACSIMILE: (512) 442-1084

October 28, 2008

FIELD NOTE DESCRIPTION OF 770 SQUARE FEET OF LAND PROPOSED FOR REZONING AND BEING A PORTION OF LOT B, TIMMERMAN ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 67 PAGE 57 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, AND HAVING BEEN CONVEYED TO TERRELL TIMMERMAN BY DEED RECORDED IN VOLUME 2874 PAGE 451 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING FOR REFERENCE at a ½ inch iron rod found in the north right-of-way line of North Loop Boulevard at the southeast corner of Lot B, Timmerman Addition, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 67 Page 57 of the Plat Records of Travis County, Texas, and being at the southeast corner of that certain tract conveyed to Terrell Timmerman by deed recorded in Volume 2874 Page 451 of the Deed Records of Travis County, Texas, and being in the westerly line of Lot 1, Smith and Abrahamson Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 4 Page 252 of the Plat Records of Travis County, Texas, and from which a P.K. Nail found at the southwest corner of said Lot 1 bears S 28 deg. 41' 34" W 10.49 ft., and also from which a ½ inch iron rod found at the south common corner of Lots A and B of said Timmerman Addition bears N 60 deg. 05' 11" W 76.12 ft.;

THENCE leaving the north right-of-way line of North Loop Boulevard with the east line of said Lot B, N 29 deg. 53' 56" E 25.00 ft. to a calculated point at the southeast corner and PLACE OF BEGINNING of the herein described tract proposed for rezoning;

THENCE crossing the interior of said Lot B on a course 25 ft. from and parallel to the north right-of-way line of North Loop Boulevard, N 60 deg. 05' 11" W 23.40 ft. to a calculated point at the southwest corner of this tract;

THENCE N 29 deg. 53' 56" E 33.00 ft. to a calculated point at the northwest corner of this tract;

THENCE S 60 deg. 05' 11" E 23.40 ft. to a calculated point in the east line of said Lot B at the northeast corner of this tract, and from which a ½ inch iron rod found at the northeast corner of said Lot B bears N 29 deg. 53' 56" E 100.47 ft.;

Page 2 of 2
770 square feet

THENCE with the east line of said Lot B, S 29 deg. 53' 56" W 33.00 ft. to the Place of Beginning, containing 770 square feet of land.

PREPARED: October 28, 2008

BY:



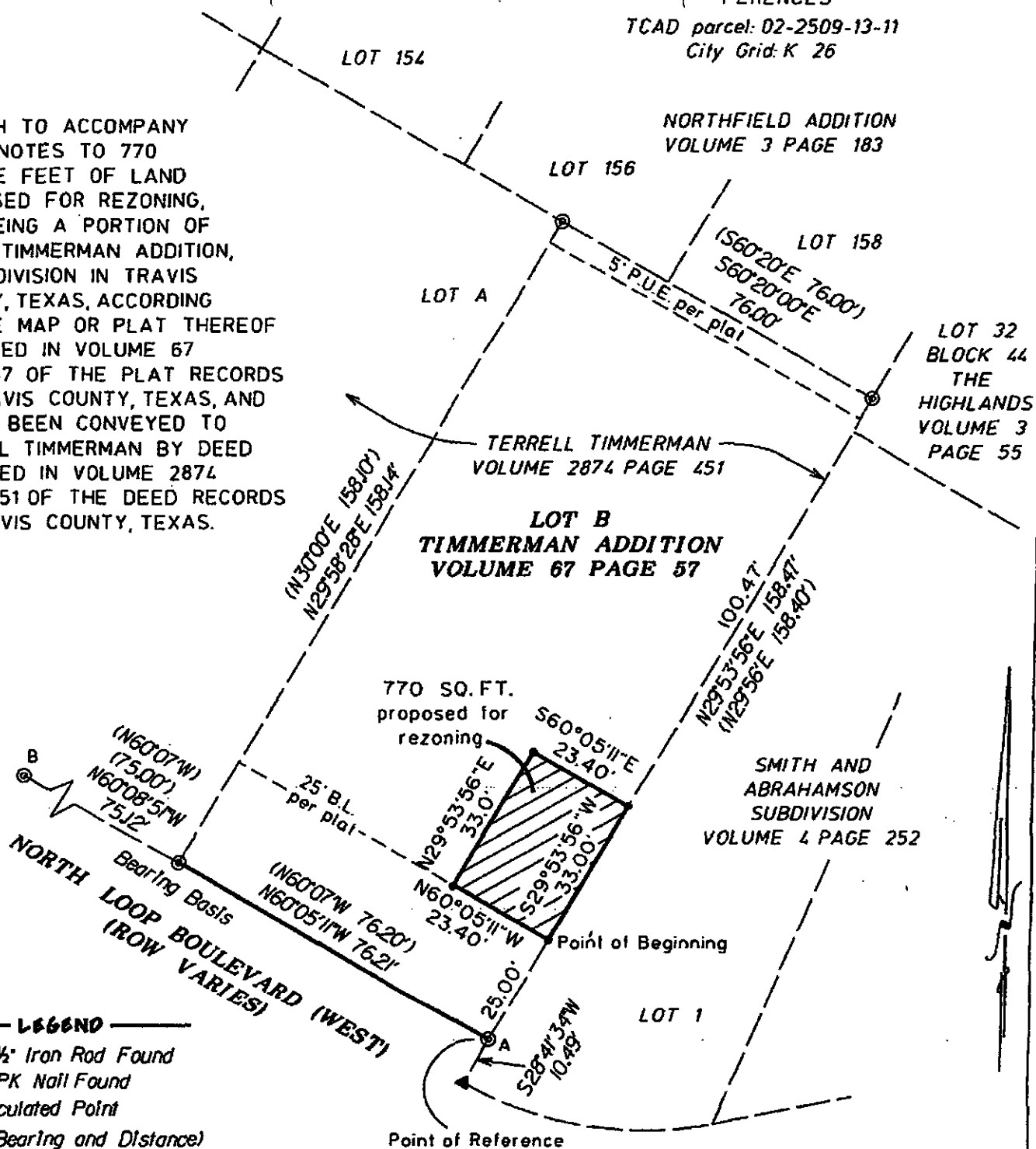
Anne Thayer
Registered Professional Land Surveyor No. 5850



see sketch C 826142

REFERENCES:
TCAD parcel 02-2509-13-11
City Grid K 26

SKETCH TO ACCOMPANY
FIELD NOTES TO 770
SQUARE FEET OF LAND
PROPOSED FOR REZONING,
AND BEING A PORTION OF
LOT B, TIMMERMAN ADDITION,
A SUBDIVISION IN TRAVIS
COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT THEREOF
RECORDED IN VOLUME 67
PAGE 57 OF THE PLAT RECORDS
OF TRAVIS COUNTY, TEXAS, AND
HAVING BEEN CONVEYED TO
TERRELL TIMMERMAN BY DEED
RECORDED IN VOLUME 2874
PAGE 451 OF THE DEED RECORDS
OF TRAVIS COUNTY, TEXAS.



This sketch was completed without the benefit
of a current title commitment. This lot may be
subject to restrictions and easements not
shown hereon.

SCALE: 1"=30'

PREPARED: October 28, 2008
BY:




HOLT CARSON, INC.
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Anne Thayer
Registered Professional Land Surveyor No. 5850



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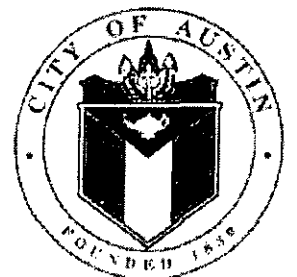


-  **SUBJECT TRACT**
-  **ZONING BOUNDARY**
-  **PENDING CASE**

OPERATOR: S. MEEKS

ZONING EXHIBIT B

ZONING CASE#: C14-2008-0248
 ADDRESS: 100 E NORTH LOOP BLVD
 SUBJECT AREA: 0.0176 ACRES
 GRID: K26
 MANAGER: C. PATTERSON



1" = 400'

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